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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

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Yoshinobu HONKURA et al.

: EXAMINER: SHEEHAN, J.P.

AUG 04 2003

SERIAL NO: 09/955,078

:

OFFICE OF PETITIONS

FILED: September 9, 2001

: GROUP ART UNIT: 1742

FOR: MANUFACTURING METHOD OF AN ANISOTROPIC MAGNET POWDER,
PRECURSORY ANISOTROPIC MAGNET POWDER AND BONDED MAGNET

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR §1.313

Responsive to the Notice of Issuance dated July 10, 2003, in the present application, Petitioners respectfully request the Office to Withdraw the present allowed application from Issue under the provisions granted Petitioners by 37 CFR §1.313.

37 CFR §1.313(c) states:

“Once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except: . . . (2) Consideration of request for continued examination in compliance with §1.114;”

Applicants have filed a request for continued examination in compliance with §1.114 along with this Petition. A copy of the request for continued examination is attached for the convenience of the Petition's Office.

If prosecution of an application is closed and a Petition under 37 CFR §1.313 is granted, an applicant may request continued examination under 37 CFR §1.114 by filing a submission and a fee. Petitioners respectfully filed the appropriate fee set forth in 37 CFR §1.17(e) required by 37 CFR §1.114. Further, Petitioners respectfully filed an appropriate submission under 37 CFR §1.114(c).

37 CFR §1.114(c) states:

“A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability”

Petitioners have timely filed with the request for continued examination, an information disclosure statement, which qualifies as an appropriate submission as set forth in 37 CFR §1.114(c). A copy of the information disclosure statement is enclosed for the convenience of the Petition's Office. Accordingly, Petitioners have timely filed a request for continued examination in compliance with §1.114 as set forth above.

In light of the above, Applicants respectfully submit that the Petition be GRANTED.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'N. F. Oblon' with a stylized flourish at the end.

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